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0300 #3

Attorney Docket No. ALNS-002PN

**CERTIFICATE OF MAILING under 37 CFR §1.8**

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class mail on the date indicated below and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date May 7, 2002

J Larson  
Jacqueline S. Larson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David S. Soane et al.

Serial No.: 10/055,837

Art Unit: 1627

Filed on: Oct. 26, 2001

Examiner: not assigned

For: Molecular Compounds Having  
Complementary Surfaces to Targets

**PETITION**

**OIPE - Customer Service**  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Petition is responsive to the Notice of Omitted Items(s) mailed 04/23/2002.  
This is timely filed since it is mailed within the two months' period for response.

**1. PAYMENT**

Credit Card Payment Form PTO-2038 is forwarded herewith in the amount of \$130.00 for the petition fee. Because the allegedly omitted items were in fact deposited in the USPTO with the nonprovisional application papers, as discussed more fully below, Applicants respectfully request that the petition fee be refunded.

RECEIVED

JUN 17 2002

OFFICE OF PETITIONS

2. STATEMENT

The allegedly omitted items listed on the Notice (Figures 18a-b, 19a-b, 20b, 28, 29, 41 & 44) were in fact deposited in the USPTO on 10/26/2001, as indicated by the date-stamped return postcard (copy enclosed). The Transmittal Letter (copy enclosed) for this application also stated that all of the sheets of drawings were included in the filing. If the allegedly omitted figures were not included, there would have been less than 31 sheets of drawings. Further, the undersigned, who actually assembled the application papers and placed them in the Express Mail envelope, declares that she checked all of the papers, which she does as a standard procedure for all mail (including patent applications) that are sent to the USPTO, and that all the papers including the allegedly omitted Figures were present and included in the envelope. Applicants wish to point out that this application was filed during the period when the U.S. Postal Service held all mail to the USPTO and subsequently irradiated all such mail, resulting in damage to some of that mail.

A copy of Figures 18a-b, 19a-b, 20b, 28, 29, 41 & 44 are enclosed.

3. PETITIONER(S) REQUESTS THAT THE COPIES OF FIGURES 18a-b, 19a-b, 20b, 28, 29, 41 & 44 BE ACCEPTED AS HAVING BEEN DEPOSITED IN THE USPTO WITH THE APPLICATION FILING AND THAT THIS APPLICATION RECEIVE THE ORIGINAL FILING DATE OF 10/26/2001.

Dated: May 7, 2002

(408) 615-0502

Respectfully submitted,

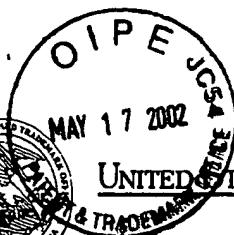
*Jacqueline S Larson*

Jacqueline S. Larson

Reg. No. 30,279

Attorney for Applicants

Enclosures: copy of Figures **18a-b, 19a-b, 20b, 28, 29, 41 & 44**  
copy of date-stamped return postcard  
copy of 1<sup>st</sup> page of CON Application Transmittal Letter  
copy of Notice of Omitted Item(s)  
Credit Card Payment Form

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UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/055,837	10/26/2001	David S. Soane	ALNS-002PN

 23979  
 JACQUELINE S LARSON  
 P O BOX 2426  
 SANTA CLARA, CA 95055-2426

CONFIRMATION NO. 7838

FORMALITIES LETTER



\*OC00000007929891\*

Date Mailed: 04/23/2002

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 18a-b, 19a-b, 20b, 28, 29, 41 & 44 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY OF PAPERS  
ORIGINALLY FILED



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**RECEIVED IN THE U.S. PATENT & TM OFFICE:**

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- CONTINUATION Patent Appln. Request Transmittal Ltr for:  
"Molecular Compounds having Complementary Surfaces  
to Targets"
- Preliminary Amendment
- copy of parent appln., including: specification and claims  
(93 pp), 31 sheets of formal drawings, Declaration, missing  
parts, declar. in response to 5/6/99 communication, small  
entity statement, change of correspondence address and  
power of attorney
- Fee Transmittal Form & Credit Card Payment Form

Inventors: David S. Soane, et al.  
Atty Docket No.: ALNS-002PN

Serial No.: \_\_\_\_\_

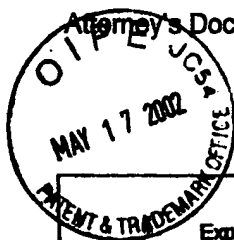
Express Mail Label No. ET048257297US



COPY

Attorney's Docket No.: ALNS-002PN

PATENT APPLICATION



**CONTINUATION PATENT APPLICATION TRANSMITTAL LETTER**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: ET048257297US

Date of Deposit: October 26, 2001

**Box Patent Application**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith for filing is the CONTINUATION patent application under Rule 53(b):

Inventor(s): David S. Soane, Stephen E. Barry, Andrew Goodwin, David A. Offord, and  
Michael G. Perrott

for the invention entitled: "Molecular Compounds Having Complementary Surfaces to Targets".

1. This application is a continuation of co-pending prior application in the name(s) of the present applicant(s):

Serial No.: 09/172,921  
Date Filed: 10/14/1998

The prior application is presently assigned to: Alnis, LLC

2. Enclosed is a copy of the prior application, including the oath or declaration as originally filed. This Continuation Application is filed pursuant to 37 CFR §1.53(b).
3. ☒ Enclosed are 31 sheets of drawings.
4. ☒ Cancel in this application original claims 1-32 and 34-52 of the prior application before calculating the filing fee.
5. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.)
6. ☐ Amend the specification by inserting before the first line the sentence:

-- This is a continuation of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, the entire disclosure of which is incorporated herein by reference.--

COPY